

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CLAIRE E. HAWKSLEY,

Plaintiff,

v.

UNUM LIFE INSURANCE COMPANY OF
AMERICA, et al.

Defendant.

CIVIL ACTION No. 04-CV-1305 (KAJ)

UNUM LIFE INSURANCE COMPANY OF AMERICA'S
MOTION FOR SUMMARY JUDGMENT AND/OR
JUDGMENT THROUGH A NON-JURY DETERMINATION

Pursuant to Federal Rules of Civil Procedure 52(a) and 56, Defendant Unum Life Insurance Company of America ("Unum") moves for summary judgment and/or for a judgment through a non-jury determination on Plaintiff's Complaint. Unum is entitled to summary judgment in its favor because the denial of Plaintiff's claim for long-term disability benefits was neither arbitrary nor capricious.

WHEREFORE, for the reasons set forth above and in the Brief in Support, which is incorporated herein in its entirety, Unum respectfully requests the Court to grant its motion for summary judgment and/or for judgment through a non-jury determination.

Dated: July 25, 2006

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